

Message Text

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40

ACTION EB-11

INFO OCT-01 ARA-11 ADP-00 CCO-00 CIAE-00 OTP-02 FCC-03

INR-10 NSAE-00 OC-06 RSC-01 COME-00 L-03 PA-03 USIA-12

PRS-01 RSR-01 /065 W

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R 130036 Z APR 73

FM AMEMBASSY MEXICO

TO SECSTATE WASHDC 5421

UNCLAS MEXICO 2508

E. O. 11652: N/ A

TAGS: ETEL, MX

SUBJ: STATUS OF FM BROADCASTING AGREEMENT

REF: MEXICO CITY 2180

1. AS REPORTED REFTEL FOREIGN OFFICE DEPUTY DIRECTOR GENERAL OF DIPLOMATIC SERVICES RODRIGUEZ INFORMED EMBASSY ON APRIL 3 THAT MEXICAN CONSTITUTIONAL PROCEDURE FOR PUTTING SUBJECT AGREEMENT INTO EFFECT HAD NOW BEEN COMPLIED WITH AND THAT DIPLOMATIC NOTE CALLED FOR UNDER ARTICLE 13 WOULD BE DELIVERED TO EMBASSY BY APRIL 6.

2. TODAY RODRIGUEZ INFORMED EMBASSY TCO THAT DELIVERY OF NOTE WILL BE DELAYED FOR AT LEAST ONE MONTH. HE SAID THAT FOREIGN OFFICE HAS NOW DECIDED THAT ENTIRE TEXT OF AGREEMENT MUST BE PUBLISHED IN " DIARIO OFICIAL" AND THAT SUCH PUBLICATION WILL REQUIRE A SECOND DECREE, ALSO SIGNED BY THE PRESIDENT OF THE REPUBLIC. SINCE THE PRESIDENT WILL NOT RETURN TO MEXICO UNTIL THE END OF THIS MONTH, RODRIGUEZ ESTIMATED THAT LONG- AWAITED DIPLOMATIC NOTE WILL BE DELAYED FOR ANOTHER FOUR OR FIVE WEEKS.

3. RODRIGUEZ EXPLAINED THAT ALTHOUGH " THECHNICALLY" MEXICAN CONSTITUTIONAL PROCEDURES HAVE BEEN MET IT WOULD STILL BE POSSIBLE IN ABSENCE OF PUBLICATION OF TEXT OF AGREEMENT FOR A MEXICAN CITIZEN AFFECTED BY AGREEMENT' S
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PROVISIONS TO GO BEFORE A MEXICAN COURT AND GET AN
INJUNCTION ON GROUNDS THAT PROVISIONS OF AGREEMENT NOT
OFFICIALLY MADE KNOWN IN MEXICO. THIS WOULD LEAVE
MEXICAN GOVERNMENT WITH INTERNATIONAL OBLIGATION WHICH
IT COULD NOT ENFORCE DOMESTICALLY.
MCBRIDE

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*** Current Handling Restrictions *** n/a

*** Current Classification *** UNCLASSIFIED

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Disposition Approved on Date:
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Disposition Event:
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